

REMARKS

The Inventor of the present multi function data port has amended Claims 30, 32, 40, and 41 in response to office action of 6/25 and the meeting with Examiner Igor Borissov and Supervisor John Hayes on 9/24/07.

In addition to the remote reading of the signal from a utility meter, taught by Tracy and many others, a major function of the multifunction data port is remote load management. The last line on Page 1 of the Specification filed on 9/1/2001 specifies remote load management; the lines 10-18 on page 12 refer to a record of time of use of both power and power factor and to the adjustment of thermostats by both the utility and utility user in times of peak power demand; the lines 19-24 on page 12 refer to detection of tampering or attempts to bypass the meter, while lines 23-28 on page 15 refer to the control of harmonic distortion and electrical noise. The ability of the present invention to provide real time continuous reading of Voltage and current by the Meter Interface provides means to detect the peak demand used for demand pricing by the Electric Utility as well as measure the power factor, The ability of the multifunction dataport to calculate harmonics via fast Fourier analysis gives the power company the ability to charge higher fees to customers with excessive electrical noise. Voltage spikes and harmonics from solid state digital processors and utility user's electronics can degrade digital grade power. The ability of the multifunction data port to measure fast transits and electrical noise is clearly a distinctive and vast improvement over the periodic reading technology provided by typical mechanical utility power meters.

Notwithstanding all of the revisions explained above, and offered below, the Applicant respectfully refers to and relies upon section 806.05(a) of the Manual of Patent Examining Procedure which states: "Relative to questions of restriction where a combination is alleged, the

claim thereto must be assumed to be allowable (novel and unobvious) as pointed out in MPEP sec. 806.02 in the absence of a holding by the examiner to the contrary. When a claim is found in a patent, it has already been found by the Office to be allowable and must be treated on that basis." Additionally, the Applicant continues to rely on sec. 802.05, "Where the relationship between the claims is such that the separately claimed sub combination B_{sp} constitutes the essential distinguishing feature of the combination AB_{sp}/B_{sp} as claimed, the inventions are not distinct and requirement for restriction must not be made, even though the sub-combination has separate utility,"



Charles E. Roos November 8, 2007